

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 4:20-cv-00957-SDJ

PLAINTIFF STATES' ADVISORY REGARDING RELIEF SOUGHT

Pursuant to the Court's directive at the March 21, 2024 hearing and subsequent Order (ECF No. 314) ("Order"), the Plaintiff States ("States")¹ have prepared the below and attached information to clarify the capacities in which the respective Plaintiff States bring the underlying action against Google and the remedies sought by each Plaintiff State. Below we have listed out (1) the remedies sought by each Plaintiff State for antitrust claims; and (2) the remedies sought by each Plaintiff State for DTPA claims; as well as a quick reference chart listing out each Plaintiff State and the relief sought.

Additionally, more information is attached that details the information called for in the Order by listing out in a table (i) the Plaintiff State; (ii) the relief sought by each Plaintiff State and related authority; (iii) the respective claims in the Fourth Amended Complaint as they relate to antitrust or DTPA claims; and (iv) the specific statutory language and relief available under the corresponding statutory provisions. This information is also provided in Response Nos. 2, 4, 6, and 26 and as Exhibit B to Plaintiff States' Sixth Amended Interrogatory Responses.²

1. The Remedies Sought by Each Plaintiff State for Their Antitrust Claims

- A. *Injunctive Relief*: All Plaintiff States seek injunctive relief for Google's antitrust violations pursuant to federal and their respective state's antitrust laws. All Plaintiff States seek injunctive relief in their *parens patriae* capacity for harm to their general welfare and economies.

¹ The Plaintiff States include: Alaska, Arkansas, Florida, Idaho, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nevada, North Dakota, Puerto Rico, South Carolina, South Dakota, Utah, and Texas.

² A true and correct copy of Plaintiffs' Sixth Amended Interrogatory Responses is attached hereto as Exhibit "A" and the corresponding Excel spreadsheet is attached as Exhibit B, all of which have been served on Google as well.

B. Civil Penalties: Plaintiff States Alaska, Arkansas, Florida, Idaho, Kentucky, Mississippi, Montana, Nevada, North Dakota, Puerto Rico, South Carolina, South Dakota, Utah, and Texas seek civil penalties for Google's antitrust violations pursuant to their respective state's antitrust laws. These Plaintiff States seek civil penalties in their sovereign and *parens patriae* capacity for harm to their general welfare and economies.

C. Attorneys' Fees and Costs: All Plaintiff States seek to recover attorneys' fees and costs as provided for under federal and state law.

2. The Remedies Sought by Each Plaintiff State for Their DTPA Claims

A. Injunctive Relief: All Plaintiff States seek injunctive relief for Google's unfair and deceptive practices pursuant to their respective state's deceptive trade practices laws. All Plaintiff States seek injunctive relief in their *parens patriae* capacity for harm to their general welfare and economies.

B. Civil Penalties: All Plaintiff States seek civil penalties for Google's deceptive practices pursuant to their respective state's deceptive trade practices laws. All Plaintiff States seek civil penalties in their sovereign and *parens patriae* capacity for harm to their general welfare and economies.

C. Attorneys' Fees and Costs: All Plaintiff States seek to recover attorneys' fees and costs as provided for under state law.

Quick Reference Chart

State	Relief Sought & Authority
Alaska	<p>Antitrust:</p> <ul style="list-style-type: none"> -Civil penalties (Sovereign only insofar as the AAGO is exercising its law enforcement powers, <i>Parens Patriae</i>); -Injunctive relief (Sovereign only insofar as the AAGO is exercising its law enforcement powers, <i>Parens Patriae</i>); -Attorney's fees and costs. <p>DTPA:</p> <ul style="list-style-type: none"> -Civil penalties (Sovereign only insofar as the AAGO is exercising its law enforcement powers, <i>Parens Patriae</i>); -Injunctive relief (Sovereign only insofar as the AAGO is exercising its law enforcement powers, <i>Parens Patriae</i>); -Attorney's fees and costs.
Arkansas	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (<i>Parens Patriae</i>), - Civil penalties (Statutory, <i>Parens Patriae</i>), - Costs and attorney's fees. <p>DTPA:</p> <ul style="list-style-type: none"> - Civil penalties (Sovereign, <i>Parens Patriae</i>);

	- Attorney's fees, Investigative expenses, and other equitable relief.
Florida	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs, attorney's fees, and other equitable remedies. <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs, attorneys' fees, and other equitable remedies.
Idaho	<p>Idaho Competition Act:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Expenses, costs, and attorneys' fees. <p>Idaho Consumer Protection Act:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae). - Expenses, costs, and attorneys' fees.
Indiana	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae). <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae);
Kentucky	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs and attorneys' fees. <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs and attorneys' fees
Louisiana	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil Fines - Attorney's fees and costs <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae), - Attorney's fees and costs (Parens Patriae).
Mississippi	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil Fines (Sovereign, Parens Patriae) - Attorney's fees and costs (Parens Patriae).

	DTPA: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae), - Attorney's fees and costs (Parens Patriae).
Mississippi	Antitrust: - Injunctive relief (Parens Patriae); - Civil Fines (Sovereign, Parens Patriae) - Attorney's fees and costs (Parens Patriae). DTPA: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae), - Attorney's fees and costs (Parens Patriae).
Missouri	Antitrust: - Injunctive relief (Parens Patriae); DTPA: - Injunctive relief (Parens Patriae); - Civil penalties and other equitable remedies (Statutory, Parens Patriae).
Montana	Antitrust: - Injunctive relief (Parens Patriae); - Structural relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees and costs DTPA: - Civil penalties (Sovereign, Parens Patriae), - Injunctive relief (Parens Patriae); - Attorneys' fees and costs
Nevada	Antitrust: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae) - Attorneys' fees and costs DTPA: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees and costs
North Dakota	Antitrust: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees. DTPA: - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees

Puerto Rico	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive and other equitable relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae);
South Carolina	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs and attorneys' fees <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Costs and attorneys' fees
South Dakota	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties and fines (Sovereign, Parens Patriae); <p>DTPA:</p> <ul style="list-style-type: none"> - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees
Texas	<p>Antitrust:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees and costs <p>DTPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriate); - Civil penalties (Sovereign, Parens Patriae); - Attorneys' fees and costs
Utah	<p>Antitrust:</p> <ul style="list-style-type: none"> - Civil penalties (Sovereign, Parens Patriae); - Injunctive relief (Parens Patriae); - Attorneys' fees and costs <p>CSPA:</p> <ul style="list-style-type: none"> - Injunctive relief (Parens Patriae); - Civil fines (Sovereign, Parens Patriae); - Attorneys' fees

DATED: April 11, 2024

Respectfully submitted,

/s/ W. Mark Lanier

W. Mark Lanier
Alex J. Brown
Zeke DeRose III
THE LANIER LAW FIRM, P.C.
10940 W. Sam Houston Pkwy N.
Suite 100
Houston, TX 77064
Telephone: (713) 659-5200
Facsimile: (713) 659-2204
Email: mark.lanier@lanierlawfirm.com
Email: alex.brown@lanierlawfirm.com
Email: zeke.derose@lanierlawfirm.com

/s/ Ashley Keller

Ashley Keller (*pro hac vice*)
KELLER POSTMAN LLC
150 N. Riverside Plaza
Suite 4100
Chicago, IL 60606
Telephone: (312) 741-5220
Facsimile: (312) 971-3502
Email: ack@kellerpostman.com

Zina Bash (Bar No. 24067505)
111 Congress Avenue
Suite 500
Austin, TX 78701
Email: zina.bash@kellerpostman.com

Noah S. Heinz (*pro hac vice*)
1101 Connecticut Ave., N.W.
11th Floor
Washington, DC 20036
Email: noah.heinz@kellerpostman.com

Counsel for Texas, Idaho, Indiana, Louisiana (The Lanier Law Firm Only), Mississippi, North Dakota, South Carolina, and South Dakota.

NORTON ROSE FULBRIGHT US LLP

Joseph M. Graham, Jr.
joseph.graham@nortonrosefulbright.com
Geraldine Young
geraldine.young@nortonrosefulbright.com
1301 McKinney, Suite 5100
Houston, Texas 77010
(713) 651-5151

Marc B. Collier
Marc.Collier@nortonrosefulbright.com
98 San Jacinto Blvd., Suite 1100
Austin, Texas 78701
(512) 474-5201

FOR PLAINTIFF STATE OF TEXAS:

KEN PAXTON
Attorney General

/s/ Trevor E. D. Young
Brent Webster, First Assistant Attorney
General of Texas
Brent.Webster@oag.texas.gov
James R. Lloyd, Deputy Attorney General
for Civil Litigation
James.Lloyd@oag.texas.gov
Trevor E. D. Young, Deputy Chief,
Antitrust Division
Trevor.Young@oag.texas.gov

**OFFICE OF THE ATTORNEY GENERAL OF
TEXAS**
P.O. Box 12548
Austin, TX 78711-2548
(512) 936-1674

Attorneys for Plaintiff State of Texas

FOR PLAINTIFF STATE OF ALASKA:

TREG TAYLOR
ATTORNEY GENERAL

By: /s/ Jeff Pickett

Jeff Pickett

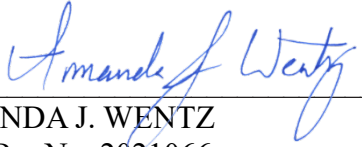
Senior Assistant Attorney General, Special Litigation Section

jeff.pickett@alaska.gov

Attorney for Plaintiff State of Alaska

FOR PLAINTIFF STATE OF ARKANSAS:

TIM GRIFFIN
ATTORNEY GENERAL

By: 
AMANDA J. WENTZ

Ark. Bar No. 2021066
Assistant Attorney General
Office of the Arkansas Attorney General
323 Center Street, Suite 200
Little Rock, AR 72201
(501) 682-1178
Amanda.Wentz@ArkansasAG.gov

Attorney for Plaintiff State of Arkansas

FOR PLAINTIFF STATE OF FLORIDA:

ASHLEY MOODY, Attorney General

/s/ Lee Istrail

Lee Istrail, Assistant Attorney General, Antitrust Division
FL Bar No. 119216

LIZABETH A. BRADY, Director, Antitrust Division
ANDREW BUTLER, Assistant Attorney General
CHRISTOPHER KNIGHT, Assistant Attorney General

Office of the Attorney General, State of Florida
PL-01 The Capitol
Tallahassee, Florida 32399
Phone: 850-414-3300
Email: Liz.Brady@myfloridalegal.com

Office of the Attorney General, State of Florida
PL-01 The Capitol
Tallahassee, Florida 32399
Phone: 850-414-3300
Email: scott.palmer@myfloridalegal.com

Attorneys for Plaintiff State of Florida

FOR PLAINTIFF STATE OF IDAHO:

RAÚL R. LABRADOR
Attorney General

/s/ John K. Olson

John K. Olson, Deputy Attorney General

Consumer Protection Division
Office of the Attorney General
954 W. Jefferson Street, 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0010
Telephone: (208) 334-2424
john.olson@ag.idaho.gov

Attorneys for Plaintiff State of Idaho

FOR PLAINTIFF STATE OF INDIANA:

THEODORE E. ROKITA
Attorney General



Matthew Michaloski
Deputy Attorney General
Indiana Atty. No. 35313-49
Indiana Government Center South – 5th Fl. 302
W. Washington Street
Indianapolis, IN 46204-2770
Phone: (317) 234-1479
Fax: (317) 232-7979
Email: matthew.michaloski@atg.in.gov

Attorneys for Plaintiff State of Indiana

FOR PLAINTIFF COMMONWEALTH OF KENTUCKY:

RUSSELL COLEMAN
Attorney General

/s/ Philip R. Heleringer

Christian J. Lewis, Commissioner of the Office of Consumer Protection

christian.lewis@ky.gov

Philip R. Heleringer, Executive Director of the Office of Consumer Protection

philip.heleringer@ky.gov

Jonathan E. Farmer, Deputy Executive Director of the Office of Consumer Protection

jonathan.farmer@ky.gov

Office of the Attorney General

Commonwealth of Kentucky

1024 Capital Center Drive, Suite 200

Frankfort, Kentucky 40601

Tel: 502-696-5300

Attorneys for Plaintiff Commonwealth of Kentucky

FOR PLAINTIFF STATE OF LOUISIANA:

By: /s/ Patrick Voelker
Liz Murrill, Attorney General
Michael Dupree, Assistant Attorney General
Patrick Voelker, Assistant Attorney General
Office of the Attorney General, State of Louisiana
Public Protection Division
1885 North Third St.
Baton Rouge, Louisiana 70802
(225) 326-6400
voelkerp@ag.louisiana.gov

s/ James R. Dugan, II
James R. Dugan, II (*pro hac vice*)
TerriAnne Benedetto (*pro hac vice*)
The Dugan Law Firm
365 Canal Street
One Canal Place, Suite 1000
New Orleans, LA 70130
PH: (504) 648-0180
FX: (504) 649-0181
EM: jdugan@dugan-lawfirm.com
tbenedetto@dugan-lawfirm.com

James Williams
CHEHARDY SHERMAN WILLIAM, LLP
Galleria Boulevard, Suite 1100
Metairie, LA 70001
PH: (504) 833-5600
FX: (504) 833-8080
EM: jmw@chehardy.com

Attorneys for Plaintiff State of Louisiana

FOR PLAINTIFF STATE OF MISSISSIPPI:

LYNN FITCH, ATTORNEY GENERAL
STATE OF MISSISSIPPI

By: /s/ Hart Martin
Hart Martin
Consumer Protection Division
Mississippi Attorney General's Office
Post Office Box 220
Jackson, Mississippi 39205
Telephone: 601-359-4223
Fax: 601-359-4231
Hart.martin@ago.ms.gov

Attorney for Plaintiff State of Mississippi

FOR PLAINTIFF STATE OF MISSOURI:

ANDREW BAILEY
Attorney General

/s/ Michael Schwalbert

Michael.Schwalbert@ago.mo.gov
Missouri Attorney General's
Office
815 Olive St.
Suite 200
St. Louis, MO 63101
Tel: 314-340-7888

Attorneys for Plaintiff State of Missouri

FOR PLAINTIFF STATE OF MONTANA:

AUSTIN KNUDSEN
Montana Attorney General

/s/ Anna Schneider

Anna Schneider
Montana Attorney General's Office
P.O. Box 200151
Helena, MT 59620-0151
Phone: (406) 444-4500
Fax: (406) 442-1894 Anna.Schneider@mt.gov

/s/ Charles J. Cooper

Charles J. Cooper
ccooper@cooperkirk.com
David H. Thompson
dthompson@cooperkirk.com
Brian W. Barnes
bbarnes@cooperkirk.com
Harold S. Reeves
hreeves@cooperkirk.com
COOPER & KIRK PLLC
1523 New Hampshire Avenue, NW
Washington DC 20036
Phone: (202) 220-9620
Fax: (202) 220-9601

Attorneys for Plaintiff State of Montana

FOR PLAINTIFF STATE OF NEVADA:

AARON D. FORD
Attorney General
ERNEST D. FIGUEROA
Consumer Advocate

/s/ Michelle C. Badorine

Michelle C. Badorine, Senior Deputy
Attorney General

MNewman@ag.nv.gov

Lucas J. Tucker (NV Bar No. 10252)

Senior Deputy Attorney General

LTucker@ag.nv.gov

Office of the Nevada Attorney General

100 N. Carson St.

Carson City, Nevada 89701

Tel: (775) 684-1100

Attorneys for Plaintiff State of Nevada

FOR PLAINTIFF STATE OF NORTH DAKOTA:

STATE OF NORTH DAKOTA

Drew H. Wrigley

Attorney General

By: /s/ Elin S. Alm

Elin S. Alm, ND ID 05924

Assistant Attorneys General

Consumer Protection & Antitrust Division

Office of Attorney General of North Dakota

1720 Burlington Drive, Suite C, Bismarck, ND 58503-7736

(701) 328-5570

(701) 328-5568 (fax)

ealm@nd.gov

Attorneys for Plaintiff State of North Dakota

FOR PLAINTIFF COMMONWEALTH OF PUERTO RICO:

/s/ Domingo Emanuelli-Hernández

Domingo Emanuelli-
Hernández Attorney General
Thaizza Rodríguez Pagán
Assistant Attorney
General PR Bar No.
17177
P.O. Box 9020192
San Juan, Puerto Rico 00902-0192
Tel: (787) 721-2900, ext. 1201, 1204
trodriguez@justicia.pr.gov

Kyle G. Bates
HAUSFELD LLP
600 Montgomery Street, Suite 3200
San Francisco, CA 94111

Attorneys for Plaintiff Commonwealth of Puerto Rico

FOR PLAINTIFF STATE OF SOUTH CAROLINA:

ALAN WILSON
Attorney General

/s/ Rebecca M. Hartner

Rebecca M. Hartner (S.C. Bar No. 101302)
Assistant Attorney General
Rebecca M. Hartner
W. Jeffrey Young
Chief Deputy Attorney General
C. Havird Jones, Jr.
Senior Assistant Deputy Attorney General
Mary Frances Joers
Assistant Deputy Attorney General
South Carolina Attorney General's Office
P.O. Box 11549
Columbia, South Carolina 29211-1549
Phone: 803-734-5855
Email: rhartner@scag.gov

Charlie Condon
Charlie Condon Law Firm, LLC
880 Johnnie Dodds Blvd, Suite 1
Mount Pleasant, SC 29464
Phone: 843-884-8146
Email: charlie@charliecondon.com

James R. Dugan, II (*pro hac vice*)
The Dugan Law Firm
365 Canal Street
One Canal Place, Suite 1000
New Orleans, LA 70130
Phone: (504) 648-0180
Email: jdugan@dugan-lawfirm.com

Attorneys for Plaintiff State of South Carolina

FOR PLAINTIFF STATE OF SOUTH DAKOTA:

MARTY JACKLEY
Attorney General

/s/ Jonathan Van Patten

Jonathan Van Patten
Assistant Attorney General
Office of the Attorney General
1302 E. Highway 14, Suite 1
Pierre, SD 57501
Tel: 605-773-3215
jonathan.vanpatten@state.sd.us

Attorney for Plaintiff State of South Dakota

FOR PLAINTIFF STATE OF UTAH:

Sean D. Reyes
Utah Attorney General

/s/ Marie W.L. Martin
Marie W.L. Martin
Deputy Division Director
Antitrust & Data Privacy Division
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, UT 84114-0872
mwmartin@agutah.gov
Telephone: (801) 538-9600

Attorneys for Plaintiff State of Utah and as counsel for the Utah Division of Consumer Protection

CERTIFICATE OF SERVICE

I certify that on April 11, 2024, this document was filed electronically in compliance with Local Rule CV-5(a) and served on all counsel who have consented to electronic service, per Local Rule CV-5(a)(3)(A).

/s/ Mark Lanier

W. Mark Lanier